

Minutes of the October 25, 2005 Meeting of the Planning, Zoning and Housing (PZH) Committee of the RTM

In attendance from PZH were Diane Conologue, Lee Fingar, Davin Gebauer, Gwynne Grimes, Martin Magida, Ann Sullivan, Jon van der Kieft, Robert Young, representing a quorum. Absent were Angus Cameron, Linda Clark, John Kratky, Peter Luongo, Tamsin Sickinger.

Meeting called to order at 8:00 PM by Chair Gwynne Grimes

Topic of discussion was the pending multifamily proposal for 77 Nearwater Lane, Darien CT

Project is being proposed under State of CT General Statutes, Section 8-30g "Affordable Housing Land Use Appeals Procedure", requiring Towns in CT to provide 10% affordable housing. Darien currently provides 1.81%.

Project is to be located at 77 Nearwater Lane, Darien, CT, on a 1.0+ acre lot, in the R-1 zoning district with water views and access to Holly Pond. The proposal is comprised of two separate structures totaling approximately 30,000 SF including 14 two-bedroom units and 6 one-bedroom units with a total of 30 on-grade parking spaces. Residents of units are to be 62 years old or more, and the six one-bedroom units (30% of 20) are being offered as affordable units under State guidelines.

It was noted that the intent of the statute is to allow applicants of such proposals to override local zoning regulations in order to meet the aforementioned 10% affordability requirement. Further, the Town PZ has the burden of proof to show why the proposed project should not be developed for reasons of health and safety or other issues of "public interest".

It was also noted that a similar application was made several years ago for a site on the corner of Brookside Road and the Post Road. That project was never developed.

While there was significant discussion around the room regarding the compatibility of this project within the context of the neighborhood, it was concluded that there was little, if anything that PZH could do about this particular application. The applicant is within their rights to do so, and it would be unwise of PZH to take a stance one way or another.

Instead, PZH concluded that their best course of action would be to advise the PZ Commission to fully utilize a recently passed RTM resolution enabling them to hire independent expert consultants to review the application on the Town's behalf, with the cost of such consultants paid by the applicant. Motion was proposed by Diane Conologue that "Town hire any and all consultants to review 77 Nearwater Lane project". Seconded by Ann Sullivan, unanimously approved.

In addition, PZH concluded that they should take a more pro-active approach to this statute. Among the ideas proposed were discussing it at a state level with our state representatives, proposing re-zoning alternatives within Darien and more creative solutions to the 8-30g statute, such as accessory apartments.

Meeting was adjourned at 9:13 PM.

Respectfully submitted, Robert Young